



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,628	10/24/2003	Lukas Doerrer	1406/176	8645
25297	7590	06/07/2004	EXAMINER	
JENKINS & WILSON, PA 3100 TOWER BLVD SUITE 1400 DURHAM, NC 27707			JEAN PIERRE, PEGUY	
			ART UNIT	PAPER NUMBER
			2819	

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

40

Office Action Summary	Application No. 10/692,628	Applicant(s) DOERRER ET AL.	
	Examiner Peguy JeanPierre	Art Unit 2819	

-- The MAILING DATE of this communication appears on the cover sheet with the correspond nc address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2003.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-24 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/21/2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement filed on 11/21/2003 has been considered.

Specification

3. The specification has not been checked to the extent necessary to determine the presence of all possible typographical and grammatical errors. Applicant cooperation is necessary in correcting any errors he/she may become aware in the application.

Claim Rejections - 35 USC § 112

4. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1 and 13, line 6, the term "the number of its resolution levels" is confusing; In addition, line 2 recites a quantizer that generates a digital input signal and line 17 recites a comparator that generates a digital result; it is not clear whether "the digital result output" and "the digital result" are identical since they originate from different sources; the relationship between the quantizer and the comparator is not well established, the inputs and the outputs of both elements are not well defined. Please clarify.

Art Unit: 2819

In claim 1 line 18, the term "the accurate current" lacks antecedent basis. In addition, the term is unclear because one cannot decipher which of the currents previously recited is accurate and why. Please clarify.

In addition, it is not understood how the comparator "decides whether the... is not equal to zero." The comparator compares, does not detect; if it does detect it must be clearly stated how the detection is made.

In claim 2, the term "the analog feedback current" lacks antecedent basis; in addition, in claim 2, the relationship between "the digital result value" (line 2), "the result value" (line 4) is not clear.

In claim 13, line 4 (page 5) the term " the last weighting of the comparators" lacks antecedent basis (note that only a voltage comparator was previously recited); the term "the individual threshold signals" lacks antecedent basis;

In claim 18 line 3 the term "the respective comparator" lacks antecedent basis; line 4, the term "the desired threshold signal" lacks antecedent basis.

In claim 19, line 2, the term "the result bits" lacks antecedent basis.

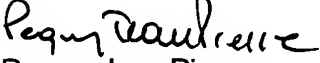
The claims must be drafted in a clear and concise manner to help the Examiner in determining unambiguously Applicant's invention.

Allowable Subject Matter

5. Claims 1-24 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Art Unit: 2819

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peguy JeanPierre whose telephone number is (571) 272-1803. The examiner fax phone number is (571) 273-1803.


Peguy JeanPierre
Primary Examiner